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September 9, 2005

HANCOCK
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 — LLP —
 ATTORNEYS

**The Honorable Joseph C. Spero
 United States District Court
 Northern District of California
 450 Golden Gate Avenue
 Courtroom A, 15th Floor
 San Francisco, California 94102**

**Re: *Republic Indemnity v. St. Paul Fire and Marine*
 U.S.D.C. Northern District, Case No. C04-3991-JCS**

Dear Judge Spero:

In compliance with the Court's August 24, 2005 Case Management and Pretrial Order, plaintiff Republic Indemnity Company of California and defendant St. Paul Fire And Marine Insurance Company write jointly to inform the Court that the parties have agreed to the following proposed briefing schedule for the filing of Trial Materials.

Simultaneous opening briefs, declarations, documents, and stipulated facts and documents to be filed and served on November 16, 2005.

Simultaneous objections to evidence and motions in limine to be filed and served on December 2, 2005.

Simultaneous opposition briefs, counter-declarations and documents, oppositions to motions in limine, list of factual issues to be tried by the court, and each side's proposed findings of fact and conclusions of law to be filed and served on December 16, 2005.

Simultaneous objections to counter-declarations and documents to be filed and served on December 21, 2005.

[SFDOC:1075-241-814909.1]

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The parties agreed to waive reply briefs.

Respectfully submitted,

HANCOCK ROTHERT & BUNSHOFT LLP

By:



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Attorneys for Plaintiff Republic Indemnity Company of California
BURNHAM BROWN

By:



JOHN K. KIRBY

Attorneys for Defendant St. Paul Fire and Marine Insurance Company

cc: electronic service list

Dated: September 13, 2005

